

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

RAMON ANTONIO MONTANEZ MARTINEZ
ZORAIDA ESQUILIN RODRIGUEZ

DEBTORS

CASE NO. 11-10531-BKT

CHAPTER 13

**DEBTORS' MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN 11 USC §1329**

TO THE HONORABLE COURT:

NOW COME, RAMON ANTONIO MONTANEZ MARTINEZ and ZORAIDA ESQUILIN RODRIGUEZ, through the undersigned attorney, and very respectfully state and pray as follows:

1. The debtors are hereby submitting a Post-confirmation Modification of Chapter 13 Plan, 11 USC Section 1329, dated March 25, 2014, herewith and attached to this motion.

2. This Plan modification is filed to consent to the lift of the automatic stay in favor of Doral Bank and Oriental Bank for loss mitigation purposes only and cure the Plan arrears owed to the Trustee.

NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 3015(f)(2)(b)

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular mail to the debtors and to all creditors and interested parties appearing in the master address list, hereby attached.

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Case no. 11-10531-BKT

Post confirmation modification of chapter 13 Plan

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 25th day of March, 2014.

/s/Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
USDC 203614
ATTORNEY FOR PETITIONERS
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EMAIL: rfigueroa@rfclawpr.com

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 11-10531-13

MONTANEZ MARTINEZ, RAMON ANTONIO & ESQUILIN RODRIGUEZ, ZORAIDA

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 3/25/2014

☐ PRE ☒ POST-CONFIRMATION

☐ AMENDED PLAN DATED:

Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 400.00 x 12 = \$ 4,800.00
\$ 580.00 x 48 = \$ 27,840.00
\$ x = \$
\$ x = \$
\$ x = \$

TOTAL: \$ 32,640.00

Additional Payments:

\$ to be paid as a LUMP SUM
within with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ x = \$

PROPOSED BASE: \$ 32,640.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 2,881.00

Signed:

Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☐ Trustee pays secured ARREARS:

Cr. Cr. Cr.

\$ \$ \$

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. BANCO BILBAO VIZ Cr. BANCO BILBAO VIZ Cr.
Claim 2-1 # Claim 1-1 #
\$ 4,941.44 \$ 3,472.73 \$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. Cr. Cr.

\$ \$ \$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☐ Debtor otherwise maintains regular payments directly to:

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr. Cr. Cr.

\$ \$ \$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
See Continuation Sheet

Attorney for Debtor R. Figueroa Carrasquillo Law Office

Phone: (787) 744-7699

AMENDED CHAPTER 13 PAYMENT PLAN

IN RE MONTANEZ MARTINEZ, RAMON ANTONIO & ESQUILIN RODRIGUEZ, ZORAID Case No. 11-10531-13
Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 1 of 1

Debtors consents to the LIFT of STAY in favor of Doral Bank, claim #8-1, and Oriental Bank, claim #7-2, for the purpose of loss mitigation modification that will include all pre and post-petition arrears, therefore, the Trustee will make no disbursements to Doral Bank and Oriental Bank. Trustee has paid \$2,085.82 to Doral Bank and \$516.64 to Oriental Bank. Additional Attorney's Fees: \$350.00 payment for the services rendered in connection to debtor(s)' post confirmation plan and related procedures for approval, pursuant to R. 2016 (f)(3).

Creditor: Department of Education/Sally Mae (Student Loans, claim 10-1 & 3-1) to be paid directly outside the Plan. Trustee will make no disbursement to these claims.

Debtor(s) to provide auto insurance upon maturity to BBVA (3366) and BBVA (9634) thru GT Insurance Group, Inc. Late filed claims filed by creditors will receive no distribution.

"Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank. Debtor reserves the right to object claims after plan confirmation.

* "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."

Label Matrix for local noticing
0104-3
Case 11-10531-BKT13
District of Puerto Rico
Old San Juan
Tue Mar 25 17:02:15 AST 2014

DORAL BANK
PO BOX 70308
SAN JUAN, PR 00936-8308

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

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MIDLAND, TX 79706-2851

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GREENVILLE, TX 75403-4169

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SAN JUAN, PR 00920-2717

NCO FINANCIAL SYSTEMS
PO BOX 192478
HATO REY, PR 00919-2478

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ALEJANDRO OLIVERAS CHAPTER 13 TRUS
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SAN JUAN, PR 00936-4745

GE CAPITAL RETAIL BANK (SAM'S CLUB)
RECOVERY MANAGEMENT SYSTEMS CORP
25 S.E. 2ND AVENUE
SUITE 1120
MIAMI, FL 33131-1605

ASOCIACION DE EMPLEADOS DE GOBIERNO DE PR
P.O.BOX 364508
SAN JUAN PUERTO RICO 00936-4508

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CONVERGENT OUTSOURCING
800 SW 39TH ST
RENTON, WA 98057-4975

DISH NETWORK
9601 S MERIDIAN BLVD
ENGLEWOOD CO 80112-5905

EASTERN AMERICA INSURANCE CO
PO BOX 9023862
SAN JUAN, PR 00902-3862

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3015 South Parker Road, Suite 400
Aurora, CO 80014-2904

SALLIE MAE
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121 S 13TH ST
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c/o REBECA CAQUIAS, ESQ.
PO BOX 363507
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SOUTHGATE, MI 48195-0967

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Lockbox 8682
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End of Label Matrix	
Mailable recipients	31
Bypassed recipients	0
Total	31